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Called Crucial to Prove CIA Link

Lawyer Seeks Hawaiian Firm's Records in Spy Case

By Lena H. Sun
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Lawyers for accused spy Richard Craig Smith yesterday told a federal judge that sealed records of a defunct Hawaiian investment firm alleged to have been run by the Central Intelligence Agency are crucial to Smith's case.

"Smith's defense rests upon the fact that he was working for the CIA and reported to the Hawaiian [CIA] station," A. Brent Carruth, one of Smith's lawyers, told the judge.

His comment came as he sought records of the Honolulu firm, called Bishop, Baldwin, Rewald, Dillingham and Wong. "Those records will show that the CIA did maintain telephone numbers at Bishop, Baldwin, and that they did run operations up there," he said.

Smith, a former Army counterintelligence specialist who lived in Bellevue, Wash., has said he was acting under the direction of the CIA when he gave national defense information to a Soviet KGB officer. He is accused of providing the identities of six U.S. double agents to the KGB officer in Tokyo for \$11,000 after two meetings in November 1982 and one in February 1983.

District Judge Richard L. Williams denied the request yesterday, ruling it was too broad. He set a hearing for Wednesday to consider another request for the records, if the defense outlines specifically how the investment company's documents relate to Smith's case.

Meanwhile, the former president of Bishop, Baldwin, Sunlin L. S. Wong, pleaded guilty in federal court after being indicted Thursday on charges that he defrauded investors of more than \$21 million.

Smith has said his CIA operatives, who he said used the aliases of Ken White and Danny Ishida, gave him a

Honolulu telephone number to call upon his return to the United States. The number was for one of the main lines at Bishop, Baldwin, according to telephone directories and company employees.

The CIA has said it has no records concerning Smith or his two alleged CIA operatives, and federal prosecutors in Alexandria and Hawaii have denied any connection between Smith's case and the firm's bankruptcy proceedings in Hawaii.

The request for the records was one of several by the defense denied by the judge in a 4½-hour hearing.

Williams also rejected a request to move the trial, set for July 9, from Alexandria to Seattle.

Smith could be sentenced to life in prison if convicted on the charge of transmitting national defense information to a Soviet agent.

In denying the change of venue, the judge ruled that FBI surveillance of Smith in Seattle in the six weeks before his arrest April 4 at Dulles International Airport did not constitute an actual arrest, as the defense contended. Federal law provides that an individual charged with committing crimes outside the United States be prosecuted in the district where first arrested or taken into custody.

The judge also denied a defense request to suppress some incriminating statements Smith made to the FBI in interviews prior to his arrest.

The request for Bishop, Baldwin's records relates to documents that have been sealed by a federal judge in Hawaii at the CIA's request. The firm is in bankruptcy proceedings and Wong and his partner, Ronald R. Rewald, have been under investigation since its collapse last July.

The firm gained widespread attention when Rewald sued the CIA,

contending he was a covert agent and had established the firm at its direction; the CIA has acknowledged "a slight involvement" with the firm.

The CIA reimbursed the company for approximately \$3,000 worth of long-distance telephone calls, telex charges and stationery for some small subsidiaries operating out of Bishop, Baldwin's offices that were used by the CIA as "commercial covers" for at least one bona fide CIA agent, according to company records.

That CIA agent, who called himself "Richard Cavannaugh," used a subsidiary, CMI Investment Corp., as a cover beginning in 1979, according to an official familiar with the Hawaii investigation.

"Cavannaugh" had business cards and stationery printed listing CMI and a Hawaii telephone number identical to the one Smith said he was given by his CIA operatives, according to company records.

In interviews since his release from jail last month, Smith said he was given the telephone number verbally at a meeting with his two CIA operatives in July 1982 in Tokyo, four months before the first of his three meetings with the Soviet KGB officer, Victor Okunev.